



SUBDIVISION REGULATIONS  
OF THE  
TOWN OF DORCHESTER  
NEW HAMPSHIRE

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## SECTION 1. AUTHORITY AND ADMINISTRATION

Pursuant to the authority vested in the Town of Dorchester Planning Board by the voters of the Town of Dorchester and in accordance with the provisions of Chapter 674:35, N.H. Revised Statutes Annotated, 1955, the Dorchester Planning Board adopts the following regulations governing the subdivision of land in the Town of Dorchester, New Hampshire.

- 1.01 Purpose: The purpose of these regulations is to foster the development of an economically and environmentally sound and stable community and to protect the people of the Town of Dorchester from the consequences of improper subdivision, planless growth and haphazard development by:
- A. Protecting and preserving the rural character of the Town;
  - B. Protecting neighboring and neighborhood land uses, interests, values and concerns through harmonious development of the Town and its environs;
  - C. Preserving land values and avoiding increased real estate tax burdens;
  - D. Promoting and protecting amenities of the Town through provisions for parks, playgrounds and other recreation areas and the preservation of the environment, natural beauty, trees, wetlands, lakes, ponds, bogs, streams and rivers, wildlife habitat (including deer yards), and other natural and historic resources, values and features;
  - E. Preventing such scattered or premature subdivision as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, sewage disposal, transportation, schools or other public services, or necessitate excessive expenditure of public funds for the supply of such services;
  - F. Assuring the adequate provisions of safe and convenient traffic access and circulation, both vehicular and pedestrian, through the proper design, construction, arrangement and coordination of streets and ways within a subdivision and in relation to existing or planned streets or with features of an official map of the Town, if adopted;
  - G. Providing uniform standards and procedures for observance by both the subdivider and the Planning Board, thus encouraging the equitable handling of all subdivision plans.
- 1.02 Modifications, Waivers, and Variances: The requirements of the following regulations may be modified when, in the opinion of the Board, after public hearing, specific circumstances surrounding a subdivision, or condition of the land in such subdivision, indicate that such modifications will properly carry out the purpose and intent of the Master plan and of these regulations.



- A. Where the Board finds that, due to the special circumstances of a particular plat, or because of exceptional and unique conditions of topography, access, location, shape, size, drainage, or other features of the parcel of interest, in its judgment, provision of certain requirements is not requisite in the interest of public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity of the proposed subdivision, it may, after properly noticed public hearing, waive or vary such requirements subject to the appropriate conditions.
- B. In granting waiver or variance, the Board shall require such reasonable conditions as will, in its judgment, secure substantially the objectives of the requirements so waived or varied.
- 1.03 Interpretation: In the matters of interpretation of these regulations, the opinion of the Board shall prevail.
- 1.04 Acceptance of Streets and/or Utilities: Nothing herein is intended to modify the requirements of law with reference to the acceptance of streets and/or utilities by the Town. Nothing herein is intended to modify or control the construction, reconstruction or extension of streets and/or utilities by the Town or State.
- 1.05 Other Regulations: Where these regulations are in conflict with other regulations ordinances, the more stringent shall apply.
- 1.06 Enforcement: These regulations shall be enforced by the Board or its duly authorized representative.
- 1.07 Penalties: As provided in RSA 676:16, any owner, or agent of the owner, of any land located within a subdivision, who transfers or sells any land before a plat of the said subdivision has been approved by the Planning Board and recorded or filed in the office of the Register of Deeds, shall forfeit and pay a penalty of five hundred dollars for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. In the case of condominiums, mobile home parks and apartments, each dwelling unit constructed in violation of these regulations shall be deemed as a separate lot.
- A. Any violation of these regulations may be punishable by a civil fine of not more than \$100 for each day that such violation is found by a court to continue after the conviction date or after the date on which the violator receives written notice from the Town that he is in violation of these regulations, whichever date is earlier.
- B. In any legal action brought by the Town to enforce, by way of injunctive relief, any of these Regulations, or to enforce any Planning Board decision, or to seek the payment of any fine levied, the Town may recover its costs and reasonable attorney's fees actually expended in

pursuing the legal action if it is found to be a prevailing party in the action. Recoverable costs shall include all out-of-pocket expenses actually incurred, including, but not limited to, inspection fees, expert fees and investigatory expenses.

- C. If any violation of these Regulations or any violation of a Planning Board decision results in the expenditure of public funds by the Town which are not reimbursed as described above, the court may order, as an additional civil penalty, that a violator make restitution to the Town for such funds so expended.
  - D. The superior court may, upon a petition filed by the Town and after notice and preliminary hearing as in the case of prejudgement attachments under RSA 511-A, require an alleged violator to post a bond with the court to secure payment of any penalty or remedy or the performance of any injunctive relief which may be ordered or both.
- 1.08 Appeals: Any person, aggrieved by an official action of the Board, may appeal therefrom to the Superior Court as provided by RSA 677:15.
- 1.09 Validity: If any section, subsection, or phrase of these subdivision regulations is found for any reason to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of these regulations.
- 1.10 Exemptions: The following circumstances shall be deemed to be exemptions under these regulations.
- A. The following transactions and exchanges shall be deemed exempt from these regulations and shall not be required to conform to the procedures set forth herein:
    - 1. Any transfer, conveyance or sale of land in one ownership but already divided into lots or parcels of land by an existing class V or better highway.
    - 2. Any transaction for the purpose of correcting or conforming boundary lines.
    - 3. Any transaction where land is exchanged between abutters with the result that no new lots and/or building sites are created.
    - 4. Any transfer, conveyance or sale of land previously and separately recorded by the Grafton County Register of Deeds, on it's last conveyance and prior to the adoption of these regulations, and involving the establishment of no new boundaries (other than error corrections), even though such land be held in common ownership with other contiguous land also previously and separately recorded with the Grafton County Register of Deeds, provided said lot was not subdivided from a larger tract by such



last conveyance or by a plat filed prior to the adoption of these regulations.

B. Every plat approved by the Board and properly recorded with the County Register of Deeds shall be exempt from all subsequent changes in subdivision regulations adopted on the Board, except those regulations and ordinances which expressly protect public health standards such as water quality and sewage disposal requirements for a period of four (4) years after the date of recording subject to each of the following conditions:

1. Active and substantial development or building shall be commenced on the site by the owner or his successor in interest in accordance with the approved plat within twelve (12) months after the date of approval, or, in accordance with the terms of said approval and where a bond to cover the costs of roads, drains or sewers is required in connection with such approval, such bond is posted with the Town at the time of commencement of such development.
2. Development remains in full compliance with the public health regulations and ordinances specified in this section.
3. At the time of approval and recording, the plat conforms to the subdivision regulations and zoning ordinances then in effect at the site of each plat.

1.11 Amendment: These regulations may be amended or rescinded by the Board but only following a public hearing as provided in RSA 675:6. No subdivision regulations or amendment or exception thereto shall be legal or have any force and effect until copies of such, certified by a majority of the Board members, are filed with the Town Clerk and Registry of Deeds.

1.12 Effective Date: The effective date of these regulations shall be May 21, 1979.

## SECTION 2. DEFINITIONS

2.01 Abutter: Shall mean the owner of record of a parcel of land which is contiguous at any point to the parcel being subdivided, or which lies directly across a public right-of-way or stream from the parcel being subdivided.

2.02 Accessory Building: Shall mean any combination of any materials, whether portable, movable or fixed, having a roof, and enclosed or not enclosed, built to form a structure for the shelter of animals or property, not to be used as a permanent dwelling.

2.03 Approval: Shall mean recognition by the Planning Board, certified by written endorsement on the plat, that the final plat submission meets the

requirements of these regulations and all other applicable ordinances and regulations.

- 2.04 Approval, Preliminary: Shall mean an expression by the Planning Board that the preliminary layout appears to satisfy all requirements established herein for the preliminary layout submissions phase. Preliminary Approval does not constitute, nor should it be construed as approval, either implied or granted, of the final plat, nor does it bind the Planning Board to approval of the final plat, nor does it allow for the issuance of any municipal building permit, nor does it allow for any commencement of construction or development.
- 2.05 Board: Shall mean the Planning Board of the Town of Dorchester, New Hampshire.
- 2.06 Building: Shall mean any combination of any materials, whether portable, movable or fixed, having a roof and enclosed within exterior walls.
- 2.07 Building Development: Shall mean the process of changing the character of the land from its existing condition to a more usable condition by the construction or placement of a building thereon.
- 2.08 Building Site: Shall mean that portion of a lot, tract or parcel of land upon which a single building is proposed to be placed.
- 2.09 Diversion: Shall mean a channel with or without a supporting ridge on the lower side constructed across or at the bottom of a slope, to divert water.
- 2.10 Driveway: Shall mean an area located on a lot, tract or parcel of land, and built for access to a garage or off-street parking space.
- 2.11 Dwelling: Shall mean a privately or publicly owned building containing a dwelling unit or dwelling units.
- 2.12 Dwelling Unit: Shall mean one or more rooms arranged for the use of one or more individuals living as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.
- 2.13 Easement: Shall mean an acquired privilege or right of use which one party may have in the land of another, normally being a strip of land used or intended to be used for a sanitary sewer or storm sewer line or other utility when such utilities are not included in the street.
- 2.14 Engineer: Shall mean the Town or Consulting Engineer duly designated by the Board on behalf of the Town of Dorchester, New Hampshire.
- 2.15 Erosion: The wearing away of the land surface by the action of wind, water or gravity.



- 2.16 Flood Limit: Shall mean the land-water boundary of a watercourse flowing at its 100 year frequency as defined by a responsible public agency such as the U.S. Army Corps of Engineers or the U.S. Department of Agriculture Soil Conservation Service.
- 2.17 Flood Prone Area: Shall mean the area of land lower in elevation than the land-water boundary along a watercourse flowing at its 100 year frequency or those soils classified by the National Cooperative Soil Survey as "Soils subject to flooding".
- 2.18 Health Officer: Shall mean the Health Officer of the Town of Dorchester, New Hampshire.
- 2.19 Lot: Shall mean a parcel of land capable of being occupied by one principal building and its accessory buildings and used for one particular purpose and designated as such on a plat.
- 2.20 Lot Line: Shall mean the property line dividing a lot from a street right-of-way, a body of water or adjacent property.
- 2.21 Lot Size: Shall mean the total horizontal land area within the boundaries of a lot, exclusive of any land area designated for street purposes.
- 2.22 Master Plan: Shall mean the comprehensive plan or plan of development for the municipality as defined in RSA 674:2.
- 2.23 Official Map: Shall mean the adopted street or base map of municipality as defined in RSA 674:9.
- 2.24 Parcel: A contiguous area of land included in a single deed at the time of its last conveyance.
- 2.25 Parking Space: Shall mean an off-street space for exclusive use as a parking area for one motor vehicle, with a minimum size of 10' x 20'.
- 2.26 Plat: Shall mean a map, plan, drawing or chart on which a subdivision of land is shown, and final plat means the final map, plan drawing or chart on which the subdivider's plan or subdivision, in entirety or in phases, is presented to the Board for approval and which, if approved, will be submitted to the Register of Deeds for Grafton County for recording.
- 2.27 Preliminary Layout: Shall mean a plan prepared as required in Section 4.03 and submitted to the Board prior to preparing the final plat.
- 2.28 Principal Building: Any Combination of any materials whether portable, moveable or fixed, having a roof and enclosed, built to form a structure for dwelling or commercial purposes.
- 2.29 Reserve Strip: Shall mean a strip of land which might be used to control access to any land within the subdivision, or access from the subdivision to any neighboring property.

- 2.30 Resubdivision: Shall mean a change in a map of an approved or recorded subdivision or resubdivision if such change accomplishes any of the following:
- A. Changes any street layout shown on such map;
  - B. Affects any area thereon reserved for public use; or
  - C. Diminishes the size of any lot shown thereon.
- 2.31 Right-of-Way: Shall mean a strip of land, separate and distinct from the lots and parcels adjoining such right-of-way, not to be included within the dimensions or areas of such other lots or parcels, and will be intended for use as a street, crosswalk or for other special public use.
- 2.32 Sediment: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin, by air, water or gravity as product of erosion.
- 2.33 Setback: Shall mean the distance between a legal boundary (right-of-way, lot line or property line) and any part of a building, including, but not limited to, garages, greenhouses, porches, and patios.
- 2.34 Site: The entire tract or parcel of land in which the proposed subdivision is located.
- 2.35 Street: Shall mean a state highway, street, road, avenue, lane and/or any other way which exists for vehicular travel, exclusive of a driveway serving not more than two adjacent lots, sites or dwelling units. The word street shall include the entire right-of-way.
- 2.36 Street, Local: A street used primarily to give access to abutting properties.
- 2.37 Street, Collector: A street which serves primarily to carry traffic from local streets to arterial streets and to public and other centers of traffic concentration. A collector street may be further classified as major or minor, depending on average daily traffic count.
- 2.38 Street, Arterial: Shall mean a street or highway used primarily for heavy and/or through traffic.
- 2.39 Street, Frontage: Shall mean a marginal roadway parallel and adjacent to a thoroughfare to provide access to abutting properties.
- 2.40 Street, Travelled Portion of: Shall mean the wearing or exposed surface of the roadway used by vehicular traffic and the width of it shall be measured at right angles to the center line of the street.
- 2.41 Street Width: Shall mean the width measured at right angles to the center line of the street.



- 2.42 Subdivider: Shall mean the owner of record of the land to be subdivided including any subsequent owner of record making any subdivision of such land or any part thereof, or the agent of any such owner.
- 2.43 Subdivision: Shall mean the division of a lot, tract, or parcel of land into two or more lots, plats, building sites, or other divisions of land, or the subdivision of the principal building into two or more units, or erection of a second principal building or conversion of an accessory building for a principal use, for the purpose, whether immediate or future, of sale, rent or lease, or separate occupancy or of building development or condominium or cooperative conveyance. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision. For the purposes of this definition, all condominium, mobile home park, and apartment development shall be deemed a subdivision.
- 2.44 Subdivision, Minor: Shall mean the division of a lot, tract or parcel of land into no more than three (3) lots, or sites, all of which abut a fully maintained town or state owned street, road or highway, and requiring no new streets, utilities or other municipal improvements. The classification, Minor Subdivision, may not, however, be applied to the subsequent subdivision of any tract or parcel of land which was itself established by minor subdivision.
- 2.45 Subdivision, Remote Tract: Shall mean the division, into not more than six parcels of not less than fifty (50) acres each, of a tract which by it's inaccessibility, or lack of existing or maintained public roads, causes the board to deem it appropriate to use a simplified procedure for approval, provided the subdivider places covenant restrictions on the map and all conveyances, to run with the land, limiting future use. The classification Remote Tract Subdivision may not, however, be applied to the subsequent subdivision of any tract or parcel of land which was itself established by remote subdivision.
- 2.46 Tract: Contiguous area of land of one or more parcels, combined by the owner or owners thereof for the purpose of subdivision.
- 2.47 Uninhabitable Land: Shall mean land which is subject to flooding, including swamp and marsh land, or which is otherwise unsuitable for building development.

### SECTION 3. APPLICATION REQUIRED: PROCEDURE

3.01 General Requirement: Whenever any subdivision of land is proposed, before any construction, land clearing or building development is begun, before any permit for the erection of any building in such proposed subdivision shall be granted and before any subdivision plat may be filed in the Office of the Register of Deeds of Grafton County, the subdivider or his authorized agent shall, on forms provided by the Board, apply for and secure approval of such proposed subdivision in accordance with the following procedure:

- A. All subdivisions shall be in harmony with the Master Plan, when such exists; and shall be in conformance with the Official Map, when such exists; and shall be in conformance with all other applicable State and Local by-laws, ordinances and regulations, including, but not limited to, regulations relative to health, buildings, roads and other pertinent data, and it is the obligation of the subdivider to familiarize himself with all such regulations and data so that he is aware of the standards with which the proposed subdivisions must comply.
- B. The subdivider shall give due regard to the preservation and protection of existing features, trees, scenic points, brooks streams, rock outcroppings, estuaries, open-spaces, water bodies, wetland, other natural resources and historic landmarks.
- C. Scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire department or other public services, or necessitate an excessive expenditure of public funds for the supply of such services shall not be approved.

3.02 Site Evaluation: The applicant for subdivision approval shall request a meeting with the Board to discuss the proposed subdivision. He shall be guided by the Board as to the need for further detailing of information, further meetings and advisability of entering into the preliminary layout phase. There is no time limit or application fee for the site evaluation phase.

3.03 Minor Subdivision Requirements: The procedure for the approval of a minor subdivision is the same as that for a final plat, except that Section 3.06G will not be applicable and submission requirements are those listed in Section 4.05.

3.04 Remote Tract Subdivision Requirements: The procedure for approval of a remote tract subdivision is the same as that for final plat, except that Section 3.06 A, C, and G will not be applicable and submission requirements are those listed in section 4.06.



- A. The subdivider shall at the time of submission of application tender form of proposal of restriction, by way of restrictive covenants or otherwise, as to the future use of the land.

3.05 Preliminary Layout: Application for review of a preliminary layout shall be submitted to the Board by the Subdivider or his authorized agent on a form to be supplied by the Board. The application shall be accompanied by all required documentation as set forth in Section 4.03 and payment of a filing fee which reflects the actual cost of the application as listed in the Board's schedule of fees.

- A. There shall be a public hearing on each application for consideration of a preliminary layout. Not less than ten (10) calendar days prior to said hearing public notice of the same shall be posted in at least two places in the town and shall be published in a news paper of general circulation in the town and shall be given to the abutters and the applicant by certified mail.
- B. The submission of the preliminary layout documentation to the Board shall be made after the applicant has submitted the said preliminary layout documentation to all local, county, regional, state or federal agencies, whose review is required by law or by these subdivision regulations and received approval of the preliminary layout from the said agencies.
- C. The Board shall communicate to the applicant the specific changes or modifications, if any, which it will require in the preliminary plan and the amount of construction or improvements it may require as a prerequisite to the subsequent review of the final subdivision plat and shall further specify such changes or modifications in its official records.
- D. The Board may, at any time during the preliminary layout review process, require changes or modifications in addition to those changes or modifications originally communicated to the applicant or his agent. The Board shall, in reference to such additional changes or modifications, inform the applicant or his agent in of the additional changes or modifications and shall specify such changes or modifications in its official records.
- E. If the applicant is permitted by the Board to submit a final plat of only a portion of the total land to be subdivided, the preliminary layout submission shall cover the entire area of the tract, and shall indicate the approximate outline and sequence of those portions of the tract for which subsequent final plats will be submitted.
- F. Approval of a preliminary layout shall be a resolution duly adopted by the Board. Said approval shall not include any oral agreements which have not been included in the record and shall be valid for a maximum period of one (1) year from the date of such approval, and thereafter



shall become void, unless extended in writing by the Board for such additional time as the Board, in its sole discretion, deems reasonable.

- 3.06 Final Plat: Application for approval of the final plat shall be filed with the Board by the subdivider or by his authorized agent on a form to be supplied by the Board no less than 30 days before the regularly scheduled meeting of the Planning Board at which the application will be formally submitted. Such application shall be made within one (1) year after official notification by the Board with respect to the preliminary layout and the changes and modifications, if any, to be made therein. The Board shall issue to the subdivider a receipt of completed application when all required documentation and fees have been submitted as required by Section 4.04. Fees are charged to defray the expense of administering these regulations; additionally, the applicant shall pay all cost of publishing notices and holding public hearings. The Board shall place the matter on its agenda for consideration at the next regularly scheduled Planning Board meeting which occurs 30 days after the receipt of the application.
- A. Town Attorney Review: The subdivider shall, at the time of submission of his application for approval of the final plat, tender offers of cession in a form certified as satisfactory by the Town Attorney of all land included by him in streets, highways, or open spaces. Approval of the final plat by the Board or recordation thereof shall not constitute an acceptance by the Town of Dorchester of any dedication until such time as all improvements have been carried out as shown on the final plat, in accordance with the requirements of these regulations, and subject to any conditions established by the Planning Board at the time of final plat approval.
- B. Public Hearing: No plat shall be approved or disapproved by the Board without affording a public hearing thereon. Not less than ten (10) calendar days prior to said hearing public notice of the same shall be posted in at least two places in the town and shall be published in a news paper of general circulation in the town and shall be given to the abutters and the applicant by certified mail.
- C. Performance and Maintenance Bond: The Planning Board shall prescribe the extent to which and the manner in which all streets, existing and proposed, shall be improved and other utilities provided. The costs of said street improvements and such other utilities or public improvements as required by the Planning Board and the periodic inspection thereof shall be borne by the developer or subdivider. Prior to receiving final approval of the subdivision plan, the Planning Board, before affixing signatures of approval to a subdivision plat, shall require of the subdivider a bond or escrow agreement with surety and conditions satisfactory to a bond or escrow agreement with surety and conditions satisfactory to its securing to the Town the actual construction and proper installation of such improvements and utilities, if any are required. The subdivider shall have filed with the Board an engineer's estimate of costs of streets, public improvements, drainage structures, and other utilities together with maps, plans and



supporting data and such other data that will aid the Board in determining the amount of the performance bond.

Any performance guarantee required of a subdivider shall not be released until: 1) the Board of Selectmen has certified completion of the public utilities, streets (existing or proposed) and improvements in the substantial accordance with the requirements of the Planning Board; and 2) deeds covering land to be used for public purposes, easements, and rights-of-way over property to remain in private ownership, and rights-to-drain onto or across private property are submitted in a form satisfactory to the Town Attorney. All recording fees shall be borne by the subdivider.

In addition, upon completion of streets and other improvements and approval by the Board of Selectmen, surety covering the maintenance of streets and improvements for a period of two (2) years from completion may be required in an amount based on the cost of such improvements, as approved by the Board of Selectmen.

- D. Action of the Board: In accordance with New Hampshire Revised Statutes Annotated, Section 676:4, within ninety (90) days of receipt of all material required in Section 4.04, 4.05, or 4.06 for the final application and issuance of receipt of final application, the Board shall approve, modify and approve, approve with conditions, or disapprove the final plat, unless the time for action has been extended an additional ninety (90) days by the Selectmen upon application by the Board. The reasons for disapproval of a final application shall be specifically set forth in the records of the Board and the Board shall notify the applicant in writing of its disapproval and the specific grounds therefore.
- E. Conditional Approval: The Board may grant conditional approval of a plat or application, which approval shall become final without further public hearing, upon certification to the Board by its designee or based upon evidence submitted by the applicant of satisfactory compliance with the conditions imposed. Final approval of a plat or application may occur in the forgoing manner only when the conditions are:
1. Minor plan changes whether or not imposed by the Board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgement; or
  2. Conditions which are in themselves administrative and which involve no discretionary judgement on the part of the Board; or
  3. Conditions with regard to the applicants possession of permits and approvals granted by other boards or agencies or approvals granted by other boards or agencies.

All other conditions shall require a hearing, and notice as provided in RSA 676:4,I(d), except that additional notice shall not be required of

an adjourned session of a hearing with proper notice if the date, time and place of the adjourned session were made known at the prior hearing.

- F. Approval of Board: Approval of the Board shall be certified by a stamp of approval provided by the Board on the original final plat and the copy which is to be recorded at the Grafton County Registry of Deeds and signed by the Chairman and/or Secretary of the Board and showing the date of approval.
- G. Filing with Register of Deeds: Immediately after final plat approval, and in no event later than thirty (30) days after date of final approval, the subdivider shall transmit to the Register of Deed of Grafton County a copy of the final plats for recording. The recording of the final plat must be made prior to any sale, rental, lease or transfer of land or construction of any building or other improvement within or on the subdivided land. The Board's approval of the final plat shall be attested on the original drawing and on the copy which is recorded by a stamp of approval provided by the Board and signed by the Chairman and/or Secretary of the Board and showing the date of approval.
- H. Time Limits for Improvements: Each approval of a final plat shall contain a time limit within which streets, and public improvements shall be completed, not to exceed two (2) years, unless extended with the subdivider's consent by the Board. In the event of the subdivider's non-compliance with the time limits established by the Board for completion of streets and other public improvements, the Bonds or escrow shall be forfeited to the Town of Dorchester. The final plat approval shall, without further action of the Board, become null and void and the Board shall notify the subdivider of this consequence in writing by certified mail at the address stated in his application for final plat approval.
- I. Failure to Act: If the Planning Board has not obtained an extension from the Selectmen of Dorchester, as described in Section 3.06D herein, and has not taken action to approve, conditionally approve or disapprove the application, the applicant may obtain from the Selectmen an order directing the Board to act within fifteen (15) days. Failure of the Planning Board to act upon such order shall constitute cause for the applicant to petition the superior court as provided in RSA 676:4 (c).



## SECTION 4. SUBDIVISION PLAN REQUIREMENTS

This section of the Subdivision Regulations of the Town of Dorchester, New Hampshire sets forth the general requirements pertaining to the preparation of subdivision plans and the documentation requirements pertaining to their submission to the Board.

### 4.01 General Requirements:

- A. All subdivisions shall be in harmony with the Master Plan, when such exists; and shall be in conformance with the Official Map, when such exists; and shall be in conformance with all other applicable State and Local by-laws, ordinances and regulations, including, but not limited to regulations relative to health, buildings, roads and other pertinent data, and it is the obligation of the subdivider to familiarize himself with all such regulations and data so that he is aware of the standards with which the proposed subdivisions must comply.
- B. The subdivider shall give due regard to the preservation and protection of existing features, trees, scenic points, brooks streams, rock outcroppings, estuaries, open-spaces, water bodies, wetland, other natural resources and historic landmarks.
- C. Scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire department or other public services, or necessitate an excessive expenditure of public funds for the supply of such services shall not be approved.

4.02 Phase I - Informal Site Evaluation: In order to save expense and unnecessary changes later on, a person may upon five (5) days notice to the Board, appear at any formal meeting of the Board for a discussion of his proposed concept in general terms and for a review of applicable subdivision regulations, application forms, necessary supporting maps and documents. There is no application fee or time limit for this nor is this consultation or informal site evaluation binding in any way on either the applicant or the Board.

4.03 Major Subdivision Phase II - Preliminary Layout: The Preliminary Layout shall be submitted on four (4) paper print copies. The data may be tentative, but shall be sufficiently clear to illustrate all conditions and establish the bases and clarify the design requirements for the subdivision final plat. Maps shall be at a scale of not greater than 100 feet per inch, unless otherwise determined and agreed to by the Board. (The Board will retain no less than one copy of each plan and revision thereof submitted to the Board.)

- A. A site survey map which shall show:

1. The entire area of the site being subdivided whether all land therein is to be subdivided or not, plus an additional 100 foot strip completely around said site showing perimeter boundary of site, north point, bar scale, date and date of revisions.
2. Name of town and subdivision; name and address of the subdivider and designer/consultant, if any.
3. Topographic contours at not more than 20 foot intervals, although more frequent intervals may be required, if in the opinion of the Board, greater accuracy is needed.
4. Names of abutting property owners.
5. Water areas (both permanent and intermittent streams, river, ponds, lakes, wetlands, marshes), foliage lines and significant natural features.
6. Area of site in square feet or acres.
7. Location of percolation tests and soil test pits.
8. Boundaries and designation of Zoning Districts, if any, lying within the subdivision; municipal boundaries, if any; land use designation from Master Plan, if any.
9. Subdivisions and buildings within 100 feet of the parcel to be subdivided.
10. Intersecting roads and driveways within 200 feet of the parcel to be subdivided.
11. Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets.
12. Existing and proposed lot lines; where the preliminary layout as submitted covers only a part of the proposed subdivision, a plan of future lots and the street system will be indicated.
13. Location of existing and proposed easements, deed restrictions, land to be dedicated to public use, buildings, accessory buildings, building setback lines, parks and other open space, watercourses, flood prone areas, large trees, foliage lines and significant natural and man-made features, water mains, sanitary sewers, storm water drainage lines, drainage structures, drainage ways, watershed areas and intended driveway locations.
14. Existing and proposed plans for telephone, electricity, and gas utilities.



- B. A Site Location Map, shown as an inset in the Site Survey Map, which shall show the proposed subdivision in relation to major roads, community facilities and utilities of the town.
- C. A log of all percolation tests, including dates and reference to locations shown on Site Survey Map.
- D. A log of all soils tests, including dates and reference to locations of clay, hardpan layers and the existing and seasonal high water table.
- E. One copy of a Soils Map which shall show the location of the soil mapping units and soil mapping unit boundaries as indicated on the most recent Town or County Soil Survey as prepared by the U.S. Department of Agriculture Soil Conservation Service. A legend on the Soils Map shall identify soil mapping unit symbols and soil names.
- F. A statement indicating compliance with soil test and sewage disposal information as specified in Section 5.02.
- G. A statement of conditions of land as to soil suitability for development.
- H. Statement of proposed subdivision use and copy of such private deed restrictions as are intended to cover part or all of the tract and conditions of public dedication.
- I. A statement of the work required on existing streets to meet the minimum standards set forth herein including costs estimates and the method of meeting such costs.
- J. Statement presenting detailed descriptions of all existing and proposed streets, including, but not limited to, widths and grades.
- K. Preliminary road profiles.
- L. A statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply and watershed areas.
- M. Preliminary drainage analysis.
- N. Plans to comply with Section 5.10, Sediment and Erosion Control Standards.
- O. Approval, as prescribed by law, from any other municipal, state or federal agency which may have jurisdiction, including, but not limited to, driveway permits.
- P. A listing of the names and addresses of all abutting property owners.

- G. Preaddressed envelopes to each abutting property owner and the applicant, and, if the tract to be subdivided abuts or crosses any town line, to the Planning Board, or if none, the Board of Selectmen of the adjoining town.
- R. A copy of the deed(s) to the tract being subdivided.

4.04 Major Subdivision Phase III - Final Plat: The final plat submission shall include the following:

- A. Four (4) paper copies and one (1) mylar copy of the Final Plat as drawn by a land surveyor registered in the State of New Hampshire shall be submitted, on a material acceptable to the Planning Board and the Register of Deeds. Sheet sizes shall be in accordance with requirements of the Register of Deeds, but not smaller than 20" x 30". Maps shall be at a scale of no more than 100 feet per inch unless otherwise determined and agreed to by the Board. Space shall be reserved on the plat for endorsement by the Planning Board and all appropriate agencies. The plat shall contain the following statement: " The Subdivision Regulations of the Town of Dorchester are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Board and attached hereto."
- B. The Final Plat Submission shall contain or be accompanied by the following maps, information and data, acceptable to the Board. Resubmission for the Final Plat is required only in those cases where it is necessary to update, revise or otherwise supplement the corresponding Preliminary Layout item or items.
  - 1. Name of town and subdivision, name and address of the subdivider and of the designer/consultant if any.
  - 2. Names and addresses of abutting property owners.
  - 3. Preaddressed envelopes to each abutting property owner and the applicant, and, if the tract to be subdivided abuts or crosses any town line, to the Planning Board, or if none, the Board of Selectmen of the adjoining town.
  - 4. Boundaries and designations of Zoning Districts, if any, lying within the subdivision; municipal boundaries, if any; land use designation from Master Plan, if any.
  - 5. Topographic contours at not greater than twenty (20) foot intervals, although more frequent intervals may be required, if, in the opinion of the Board, greater accuracy is necessary.
  - 6. Boundaries and area of the entire site whether all land therein is to be subdivided or not, referenced to a permanent point



acceptable to the Board, such as a U.S.G.S. bench mark, north point, bar scale, date and dates of any revisions.

7. Subdivisions and buildings within 100 feet of the site to be subdivided.
8. Intersecting roads and driveways within 200 feet of the site to be subdivided.
9. Plans of existing and proposed streets including widths, street right-of-way lines, stationing and dimensions of tangents, chords and radii including intersection, turn-around and/or cul-de-sac radii.
10. Accurate locations of all monuments to be set at street intersections, at points of curvature and tangency of curved streets and at angles of lots.
11. Existing and proposed lot lines, bearings and dimensions; lot areas in square feet or acres; consecutive numbering of lots; location of iron pins at lot corners.
12. Location of existing and proposed easements, deed restrictions, land to be dedicated to public use, buildings, accessory buildings, building setback lines, parks and other open space, watercourses, flood prone areas, large trees, foliage lines and significant natural and man-made features, water mains, sanitary sewers, storm water drainage lines, drainage structures, drainage ways, watershed areas and intended driveway locations.
13. Existing and proposed plans for telephone, electricity, and gas utilities.
14. Location of all percolation test and soil test pits.
15. A general Site Location Map, shown as an inset, locating the subdivision boundary in relation to major roads and community facilities of the town.
16. Name and seal of engineer and/or land surveyor licensed by the State of New Hampshire.
17. If the subdivision abuts a state highway or if any street therein intersects a state highway, a written statement approving any proposed driveway or street access with such state highway shall be obtained by the subdivider from the New Hampshire Department of Public Works & Highways. If local driveway permits are needed, then these should be obtained and submitted.
18. A written acknowledgement of the subdivider's responsibility for maintenance of easement areas, and the assumption by him of

liability for injuries and damages that may occur on any land to be dedicated for public use, until such land has been legally accepted by the Town.

19. If a subdivision is to be served by public or common water supply or other public improvements or by public sewers, a statement from the municipal department or company involved, attesting to the adequate availability of such service.
20. Statement of proposed subdivision use and copy of such private deed restrictions as are intended to cover part or all of the tract and conditions of public dedications.
21. Logs of percolation test data and soil test data, if any, that are supplementary to those contained in the preliminary submission.
22. A statement of conditions of land as to soil suitability for development; revised Soils Map if needed for supplementary data.
23. A statement of the work required on existing streets to meet the minimum standards set forth herein including cost estimates and the method of meeting such cost.
24. A final statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivisions, methods of sanitary sewage disposal and water supply and watershed areas.
25. Final drainage analysis.
26. Final road profiles.
27. Final approval, as prescribed by law, from any other municipal, state or federal agency which may have jurisdiction.
28. A statement either oral or written as required by Board of the estimated economic impact of the proposed subdivision on the Town of Dorchester on each of five (5) consecutive years, of which the first year shall be the calendar year following the date of application for subdivision approval. This statement shall consist of an estimate of the tax revenue to be derived in each year from the subdivision and estimates of the cost to the Town, in each of these years, of new requirements by the subdivision for municipal services which shall include, but need not be limited to schools, road maintenance, water supply, sewage disposal, solid waste disposal, traffic control and fire and police protection. The statement shall show all computations and detail all data (and their source) on which calculations are based along with explicit statement of all assumptions made.



29. In the case of electric lines or other utilities to be installed by a public utility corporation or a municipal department, a statement in writing from such public utility, corporation or municipal department, that the work will be done within a reasonable time and without expense to the Town of Dorchester.
30. An estimate, in accordance with the Planning Board's requirements of cost of streets, public improvements, drainage structures and other utilities together with maps, plans and supporting data.
31. The following legal data, in form as approved by the Town attorney, where applicable to a specific subdivision:
  - a. Agreement to convey to the Town land to be used for streets, open space and other public purposes, including any easement necessary to accomplish public purpose, including but not limited to, water drainage, with transfer of title to such interests to be effective on such date as the Town accepts such land.
  - b. Easements and rights-of-way over property to remain in private ownership.
  - c. Rights for Town to drain from streets onto or across other property whether public or private, including a street.
  - d. Performance bond as described in Section 3.06(C).
  - e. All present or proposed easement, covenants, reservations or restrictions benefitting or burdening the property, the location of all areas affected or to be affected thereby shall be clearly identified by appropriate reference to the site survey.
32. A subdivision grading and drainage plan. This plan shall be submitted on a separate sheet or sheets and shall provide the following information for the entire site unless there is a determination by the Board that a lesser area is sufficient:
  - a. Basic street and lot layout with all lots numbered consecutively.
  - b. Location of all existing and known proposed buildings;
  - c. Contours of existing and proposed grades at intervals of not more than five (5) feet. Intervals less than five (5) feet may be required depending on the character of the topography. Contour lines shall extend a minimum of 100 feet beyond the subdivision boundary.

- d. Final identification, location, elevation, grades and/or contours at intervals of not more than two (2) feet (less interval may be required depending on topography) for the existing and proposed drainage ways, drainage easements, drainage structures, and waterbodies;
  - e. Final identification and relative location of proposed soil erosion and sediment control measures and structures;
  - f. Final drawings and specifications for each proposed soil erosion and sediment control measure and structure;
  - g. Final slope stabilization details and specifications;
  - h. Final drawings, details, and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins;
  - i. A timing schedule, indicating the anticipated starting and completion dates of the subdivision development and time of exposure of each area prior to the completion of effective soil erosion and sediment control measures.
33. A subdivision utility plan. This plan shall be submitted on a separate sheet or sheets and provide the following information:
- a. Complete plans and profiles of all proposed streets including but not limited to:
    - 1. Horizontal and vertical curve data at the street centerline.
    - 2. Street stationing every 50 feet.
    - 3. Intersection, turn-around, and/or cul-de-sac radii.
    - 4. Statements and/or typical sections of proposed streets.
  - b. Complete plans and profiles of all proposed sanitary and storm sewers, including the following:
    - 1. Invert elevations, original and finished ground profiles above these sewers and top of manhole elevations.
    - 2. Profiles and grades of storm sewer lines and inlets.
    - 3. Type of material and class used and proposed grades.
  - c. Location and details of all existing and proposed utilities, including water mains, gas mains, telephone, electric, on and adjacent to the land to be subdivided.



d. A statement as to:

1. The flow available on existing water mains.
2. The proposed number of units and anticipated sanitary sewer flow.
3. The available storm water facilities downstream of this subdivision.

e. Any other details pertinent to street and/or utility construction.

34. Plans to comply with Section 5.10 Sediment and Erosion Control Standards.

35. Consent to the subdivision duly executed and acknowledged by each mortgagee, lienor, owner of any mineral or cutting rights or the holder of any other rights in or to the tract to be subdivided adverse to those of the applicant, if any.

4.05 Minor Subdivision Phase II- Final Plat: For a minor subdivision the following documentation is required:

- A. Four (4) paper copies and one (1) mylar copy of the Final Plat as drawn by a land surveyor registered in the State of New Hampshire shall be submitted, on a material acceptable to the Planning Board and the Register of Deeds. Sheet sizes shall be in accordance with requirements of the Register of Deeds, but not smaller than 20" x 30". Maps shall be at a scale of no more than 100 feet per inch unless otherwise determined and agreed to by the Board. Space shall be reserved on the plat for endorsement by the Planning Board and all appropriate agencies. The plat shall contain the following statement: " The Subdivision Regulations of the Town of Dorchester are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Board and attached hereto."
- B. The Final Plat Submission shall contain or be accompanied by the following maps, information and data, acceptable to the Board. Resubmission for the Final Plat is required only in those cases where it is necessary to update, revise or otherwise supplement the corresponding Preliminary Layout item or items.
  1. A copy of the deed(s) to the tract being subdivided.
  2. Preaddressed envelopes to each abutting property owner and the applicant, and, if the tract to be subdivided abuts or crosses any town line, to the Planning Board, or if none, the Board of Selectmen of the adjoining town.

3. A copy of all documentation required by the New Hampshire Water Supply and Pollution Control Commission.
4. A statement of proposed deed restrictions and covenants, if any.
5. If the parent lot (remaining land) is less than fifty acres, a full survey of the property by a licensed surveyor will be required. When a full perimeter survey is not required, a sketch showing the original boundary, abutters and existing structures will be included on the mylar.
6. A Site Survey Map which shall show:
  - a. The entire area of the parcel being subdivided plus an additional 100 foot strip completely around said parcel showing perimeter boundary of said parcel; north point and bar scale.
  - b. Name of town and subdivision; name and address of the subdivider and land designer/consultant, if any.
  - c. Topographic contours at not more than 20 foot intervals.
  - d. Names of abutting owners.
  - e. Water areas (both permanent and intermittent streams, rivers, ponds, lakes, wetlands, marshes), foliage lines and significant natural features.
  - f. Area of parcel in square feet or acres.
  - g. Existing roads, easements and structures and other existing physical features.
  - h. Location of percolation tests and soil test pits.
7. A Site Location Map, shown as an inset in the Site Survey Map, which shall show the proposed subdivision in relation to major roads, community facilities and utilities of the town.
8. A log of all percolation tests, including dates and reference to locations shown on Site Survey Map.
9. A log of all soils tests, including dates and reference to location of test pits shown on the Site Survey Map, and showing depth to ledge, clay, hardpan layers and the existing and seasonal high water table.
10. A Soils Map which shall show the location of the soil mapping units and soil mapping unit boundaries as indicated on the most recent Town or County Soil Survey as prepared by the U.S. Department of Agriculture Soil Conservation Service. A legend on



the Soils Map shall identify soil mapping unit symbols and soil names.

11. A statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply and watershed areas.
12. Intended location of driveways and driveway permits as needed.
13. Plans to comply with Section 5.10 Sediment Erosion Control Standards
14. Consent to the subdivision duly executed and acknowledged by each mortgagee, lienor, owner of any mineral or cutting rights or the holder of any other rights in or to the tract to be subdivided adverse to those of the applicant, if any.

4.06 Remote Tract Subdivision Phase II - Final Plat: For a remote tract subdivision the following documentation shall be required:

- A. Four (4) paper copies and one (1) mylar copy of the Final Plat as drawn by a land surveyor registered in the State of New Hampshire shall be submitted, on a material acceptable to the Planning Board and the Register of Deeds. Sheet sizes shall be in accordance with requirements of the Register of Deeds, but not smaller than 20" x 30". Maps shall be at a scale appropriate to the size of the tract as determined and agreed to by the Board. Space shall be reserved on the plat for endorsement by the Planning Board and all appropriate agencies. The plat shall contain the following statement: " The Subdivision Regulations of the Town of Dorchester are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Board and attached hereto."
- B. The Final Plat Submission shall contain or be accompanied by the following maps, information and data, acceptable to the Board. Resubmission for the Final Plat is required only in those cases where it is necessary to update, revise or otherwise supplement the corresponding Preliminary Layout item or items.
  1. A copy of the deed(s) to the tract being subdivided.
  2. Preaddressed envelopes to each abutting property owner and the applicant, and, if the tract to be subdivided abuts or crosses any town line, to the Planning Board, or if none, the Board of Selectmen of the adjoining town.
  3. A copy of all documentation required by the New Hampshire Water Supply and Pollution Control Commission.
  4. A statement of proposed deed restrictions and covenants, if any.

5. A Site Survey Map which shall show:
  - a. The entire area of the parcel being subdivided plus an additional 100 foot strip completely around said parcel showing perimeter boundary of said parcel; north point and bar scale.
  - b. Name of town and subdivision; name and address of the subdivider and land designer/consultant, if any.
  - c. Reasonable topographic information as required by the Board.
  - d. Names of abutting owners.
  - e. Water areas (both permanent and intermittent streams, rivers, ponds, lakes, wetlands, marshes); foliage lines and significant natural features.
  - f. Area of parcel in square feet or acres.
  - g. Existing roads, including logging roads, snowmobile and other trails, easements and structures and other existing physical features.
  - h. Location of percolation tests and soil test pits, if any.
  - i. Proposed access roads, if any.
6. A Site Location Map, shown as an inset in the Site Survey Map, which shall show the proposed subdivision in relation to major roads, community facilities and utilities of the town.
7. Consent to the subdivision duly executed and acknowledged by each mortgagee, lienor, owner of any mineral or cutting rights or the holder of any other rights in or to the tract to be subdivided adverse to those of the applicant, if any.
8. The following information or data may be required by the Board when appropriate:
  - a. A log of all percolation tests, including dates and reference to locations shown on Site Survey Map.
  - b. A log of all soils tests, including dates and reference to location of test pits shown on the Site Survey Map, and showing depth to ledge, clay, hardpan layers and the existing and seasonal high water table.
  - c. A Soils Map which shall show the location of the soil mapping units and soil mapping unit boundaries as indicated on the most recent Town or County Soil Survey as prepared by the U.S. Department of Agriculture Soil Conservation Service. A legend



on the Soils Map shall identify soil mapping unit symbols and soil names.

- d. A statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply and watershed areas.
- e. Intended location of driveways and driveway permits as needed.
- f. Plans to comply with Section 5.10 Sediment Erosion Control Standards.

4.07 Subdivision "As Built" Plan: Prior to the acceptance of streets or utilities by the Town, the subdivider shall submit an "As Built" plan. This plan shall be drawn to scale and shall indicate by dimensions, angles, and distances, as applicable, the actual "As Built" location of sanitary and storm sewer and drain Y-Branches, laterals, manholes, catch basins, hydrants, valves, curb shut-offs, road profiles and centerline elevations and final grading plan showing swales and ditches. Plans shall show easements and dedicated roadways. Two copies of the "As Built" plans shall be submitted by the subdivider to the Board.

## SECTION 5. STANDARDS

This section of the Subdivision Regulations of the Town of Dorchester, New Hampshire sets forth the minimum standard to which all subdivisions shall conform.

### 5.01 Lot and Size Layout Standard:

- A. There shall be no more than one principal building, used for one particular purpose, and accessory buildings on a lot.
- B. When laying out or planning a subdivision, the following standards shall govern the layout of lots and sites:
  - 1. The minimum area or configuration of lots shall be based on consideration of soil type, slope, sewage disposal techniques, and drainage plans, and shall conform to the recommendations of the New Hampshire Water Supply and Pollution Control Commission, if any, but shall under no circumstances be less than 1 acre.
  - 2. Every lot shall have not less than 200 feet frontage on a class II, IV, OR V Highway or on street built in conformity with the requirements of these Regulations.
  - 3. In order to provide adequate corner visibility, corner lots shall have sufficient width to permit a setback on each street.
  - 4. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formations, flood conditions, or similar circumstances, the Board may require modification of such lot or lots.
  - 5. Block length and width or acreage within bounding roads shall be such as to provide for convenient access, circulation control and safety of street and pedestrian traffic.
  - 6. The minimum driveway sight distance shall be no less than 200 feet.
  - 7. The grade within 100 feet of an intersection shall not exceed 3%.

- 5.02 Sewage Disposal Design Standards and Soil Tests: Subdividers shall present written approval for subdivision from the New Hampshire Water Supply and Pollution Control Commission. In all such cases where approval of the said Commission is not required, the subdivider shall present satisfactory evidence to the Board that the subdivision lots will support individual sewage disposal systems.



- A. The subdivider will adhere to the following standards for his septic systems:
1. They will not contaminate any drinking water supply.
  2. They will not give rise to a public health hazard by being accessible to insects, rodents, or other possible carriers which may come into contact with flood or drinking water.
  3. They will not give rise to a public health hazard by being accessible to persons.
  4. They will not violate laws or regulations governing water pollution or sewage disposal or treatments.
  5. They will not pollute or contaminate the waters of any bathing beach, or stream used for public or domestic water supply purposes, or for recreational purposes.
  6. They will not give rise to a nuisance due to odor or unsightly appearance.
- B. No septic system leaching bed or trench, or leaching cesspool or leaching pit shall be allowed on soils subject to flooding unless the individual or parties responsible for the system can prove the system will, during periods of flooding from adjacent streams and rivers, comply with the above six basic standards of these regulations.
- C. The Board may engage a qualified agent of the Grafton County Conservation District or other qualified person, in behalf of and at the expense of the subdivider, to inspect and make a report on each proposed lot or building site as to suitability for on-site sewage disposal. If any limitation is found such as excessive slopes, hardpan layers, shallow depth-to-ledge, existing or expected high water table or stream porosity, said soil and/or building site limitation shall be noted in the report. Any lot or building site with severe soil or building site limitations noted from the on-site inspection shall not be approved unless:
1. The subdivider proposes appropriate corrective measures to overcome and alleviate those limitations to the satisfaction of the Board; and
  2. The subdivider carries out those corrective measures as proposed to the satisfaction of the Board or the Subdivider shall have proposed corrective measures drawn up to the satisfaction of the Board as covenants to be imposed on each lot or building site to be transferred, conveyed, rented, or leased.
- D. All subsurface sewage disposal systems must be designed and constructed in accordance with the most recent edition of the manual

containing standards of septic system design as published by the New Hampshire Water Supply and Pollution Control Commission.

**5.03 Street Standards:**

- A. Construction and/or installation of all streets, sidewalks, curbs, bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements required by the subdivision plat and accompanying documents, must be done under the supervision or with the approval of the Planning Board, Board of Selectmen, and the Road Agent of the Town of Dorchester.
- B. Roads constructed prior to approval of subdivision may be subjected to thorough inspection and evaluation, including but not limited to subsurface testing by or under the supervision of an engineer designated by the Board at the expense of the applicant.
- C. Subdivision streets shall be laid out so that the street pattern conforms to the extent possible to natural topographic conditions.
- D. All street construction as required by the Board shall conform to the following standards:
  - 1. Provisions shall be made for the proper projection of proposed streets if adjoining property is not subdivided. Where a proposed subdivision abuts an existing subdivision, the subdivider shall make every attempt to design the street system of the proposed subdivision to connect with dead-end or "stub" streets of the existing subdivision.
  - 2. No street right-of-way shall be less than 50 feet in width and may be required to be more if a greater width is warranted in the opinion of the Board. The apportioning of the width among roadways, sidewalks and possible grass strips shall be subject to approval of the Board. In general the Board shall require a travelled width of not less than 18 feet plus 2 feet of gravel shoulders on each side.
  - 3. The minimum center line radii of streets shall be 75 feet although at the Board's request greater radii may be required for principle streets. All curved streets must be designed to permit safe vehicular travel.
  - 4. The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.
  - 5. Where a subdivision abuts an existing street with an inadequate alignment, or right-of-way width, the subdivision plat shall include in the street dedication all land needed to meet the



standards established by these regulations, and as approved by the Board.

6. The layout of the street pattern shall be based upon a local street system connected to a collector street system connected to an arterial system.
7. Local residential streets shall be designed so as to discourage through traffic.
8. Local and collector streets shall not intersect with arterial streets less than eight hundred (800) feet apart, measured from center line to center line.
9. Except where it is impractical, because of the character of the land, streets shall intersect so that the final 75 feet of the intersecting street lines are at right angles and in no case less than seventy-five degrees. The grade within 100 feet of an intersection shall not exceed 3% unless otherwise agreed to by the Board. No structure or planting shall impair corner visibility.
10. Grades of all streets shall conform in general to the terrain and shall, so far as practicable, not exceed 10 percent, unless this requirement is specifically waived by the Board. No street shall have a grade of less than 1/2 percent.
11. The general crown of the road shall not be less than three (3) inches.
12. Shoulder pitch shall not exceed 10 percent.
13. Ditch slopes not to exceed 3 to 1 on front slopes and 2 to 1 on back slopes.
14. Multiple intersections involving a junction of more than two (2) streets shall be prohibited. If at all possible, four-way intersections shall be avoided on all local and minor collector streets.
15. The minimum distance between center line offsets at street jogs shall be one hundred fifty (150) feet.
16. The entire traveled area of each street shall be cleared of all stumps, brush, roots and like material, and all trees not intended for preservation. All loam and other yielding material shall be removed from the roadway and replaced with a suitable material. All boulders shall be broken off to a depth of not less than 36 inches below the subgrade. All streets shall be subgraded with at least 24 inches of binding gravel (maximum stone size of 6 inches) to a width of not less than 24 feet and finish grade with not less

than 12 inches of crushed gravel (maximum stone size of 2.5 inches).

17. Permanent dead-end streets shall be posted as such.
18. If a dead-end street is of a temporary nature, a turn-around shall be provided and provisions made for future extension of the street through to adjacent property and reversion of the excess right-of-way to the adjoining properties.
19. The following standards shall apply to cul-de-sac streets:
  - a. The turnaround at the end of a cul-de-sac street should be located with regard to proper drainage.
  - b. Unless there is the expectation of extending the street through to the adjoining property, a cul-de-sac street should never be brought to the property boundary line, but should be placed so that the lots can back on the property line of the subdivision.
- E. No street shall have a name which will duplicate or closely duplicate the names of existing streets. The continuation of an existing street shall have the same name.

#### 5.04 Classification of Streets

- A. The classification of existing streets shall be as defined in the Town Master Plan or Official Map or by the Board where such Master Plan or Official Map does not exist. The classification of new streets shall be as determined by the Board in accordance with the following table. The following standards of design shall apply to streets related to subdivision:



STANDARDS FOR STREET DESIGN

	Local(*)	Collector	Arterial
Average Daily Traffic **	0-96	96-400	Above 400
Minimum Right-of-way	50'	60'-80'	80'-100'
Minimum Travel Surface Width (Ft.)****	18'	20'-24'	Variable
Minimum Shoulder Width (Ft.) Each Side****	2'	4'	Variable
Minimum Distance From Road Centerline to Center of Ditch (Ft.)****	16'	18'	Variable
Minimum Horizontal Curve Radii (Ft.)	100'	150'-300'	500'
Minimum Vertical Curve Radii (Ft.)	100'	100'-200'	Variable
	In no case less than 20' for 1% difference in grade.	In no case less than 30' for 1% difference in grade.	
Minimum Length of Tangents Between Lines	100'	100'-200'	Variable
Maximum Grade	10%	8%	5%
Minimum Grade	0.5%	0.5%	0.5%
Maximum Grade within 50' of Intersection Centerlines	3%	3%	2%
Minimum Vertical Sight Distance ***	200'	250'	300'

\* Local streets cover not only lightly developed through streets, but also dead-end, cul-de-sac and marginal access streets.

\*\* Shall be future anticipated traffic. ( Assuming 8 trips per day per dwelling unit.)

\*\*\* Sight distance shall be measured between two points along the centerline of the street on a straight line entirely within the street right-of-way and clear of obstruction, one of the points to be at the surface and the other 39 inches above the surface.

\*\*\*\* All cross-section horizontal distances shall be measured perpendicular to straight-line sections and radial to curved sections.

- B. The Board may modify the maximum and minimum gradient for short lengths of streets where, in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of land.
  - C. The Board may require greater width of right-of-way where, in its judgment, demands of present or future traffic make it desirable or where topographic conditions create a need for greater width for grading.
- 5.05 Street Improvements: Any existing town maintained street which provides either frontage to new lots or access to new streets shall meet the minimum standards established in Section 5.03 above for such streets insofar as possible. The Board may require as a condition of approval of the final plat that the subdivider shall bear the expense to provide that the said existing street or streets meet said minimum standards.
- 5.06 Parking Standards: All subdivision development shall require off-street parking to be provided at the rate of at least two (2) parking spaces per dwelling unit. In order to provide for the most efficient means of road maintenance, snow plowing and access by emergency, police and fire vehicles, no parking of vehicles within the street shall be permitted.
- 5.07 Pedestrian Walks: Where necessary, in the judgment of the Board, rights-of-way for pedestrian travel and access may be required by the subdivision or its parts, or between a subdivision and public property.
- 5.08 Drainage Standards: All bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements required by the subdivision plat and accompanying documents, shall be installed in conformance with the following standards:
- A. An adequate surface storm water drainage system for the entire subdivision area shall be provided. Storm drainage shall be carried as much as possible to existing watercourses, or connect to existing storm drains. If the storm water drainage system creates any additional flow over an adjacent property, the subdivider shall obtain an easement therefore from the adjacent owner and shall hold the Town of Dorchester harmless from any claims for damage resulting therefrom.
  - B. The need for the installation of catch basins and a storm sewer system or underdrains shall be determined on the basis of the following considerations: high ground water, soil conditions, topography, road grades, maintenance considerations, and safety.
  - C. Proper sizing of culverts, storm sewers etc. shall be established by engineering practices.
  - D. Pipes for storm sewers or culverts shall be reinforced concrete pipe, corrugated steel pipe, or better.



- E. Minimum storm sewer pipe size shall be 12" in diameter.
- F. Minimum culvert size shall be 18" in diameter.
- G. Cover over all pipes shall be at least two (2) feet.
- H. Culvert headwalls, where required, shall be either concrete or mortar rubble masonry or other suitable matter.
- I. Erosion protection of ditches or pipe outlets shall be provided by paving or use of stone where soil and velocity conditions warrant protection.
- J. No storm water pipe, catch basin, drainage outlet or other pipe floor drain, draining surface water, shall be connected to any sanitary sewer system, pipe or part of said system.
- K. The Board may require that all storm pipe installation be inspected and approved by an agent of the Town before being covered.

5.09 Utilities Installation Standards:

- A. All subdivisions shall make adequate provisions for water supply, storm water and sanitary sewage disposal, and other required utilities and improvements. The Board may require the extension of public water and sewers to and within a proposed subdivision, without cost to the Town of Dorchester.
- B. The subdivider shall install laterals from all utilities in the street right-of-way to ten (10) feet beyond the street property line of each building lot. All such utility system installations shall be at the expense of the subdivider and, if the Board so requires, shall be installed under the supervision of the appropriate Town agency.
- C. The Board may require the installation of street lighting in any subdivision where it deems necessary.
- D. Where underground utilities are to be furnished from a public source, all necessary mains, branch offsets to each lot, and fire hydrants shall be installed by the subdivider, as approved by the corporation or municipal department having jurisdiction, and to the satisfaction of the Planning Board and the Board of Selectmen, and without expense to the Town of Dorchester.
- E. All such utility system installations shall be at the expense of the subdivider and shall be installed under supervision of appropriate Town agencies.

5.10 Sediment and Erosion Control Standards: The purpose of this section is to control soil erosion and the resulting sedimentation occurring in subdivision areas by requiring proper provisions for water disposal and the

protection of soil surfaces during and after construction in order to promote the public health, safety, convenience and general welfare of the community. The following standards shall be observed by the subdivider in the design, layout and engineering of the proposed subdivision on both the Preliminary Layout Phase (Section 4.03) and the Final Plat Phase (Section 4.04, Section 4.05 or Section 4.06).

- A. Stripping of vegetation, regrading, or other development shall be done in such a way that will minimize soil erosion.
- B. Whenever practical, natural vegetation shall be retained, protected and supplemented.
- C. The disturbed area shall be kept to a minimum and the duration of exposure shall be under a maximum of six (6) months.
- D. Temporary seedings and/or mulching shall be used to protect exposed critical areas during development.
- E. Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.
- F. Sediment in the runoff water shall be trapped, until the disturbed area is stabilized, by the use of sediment basins or other acceptable methods.
- G. Diversions, sediment basins, and so forth, shall be constructed prior to any on-site grading or disturbance of existing surface material.

5.11 Open Space and Landscaping:

- A. The Board may, where it deems essential, require that the plat show one (1) or more areas of character, size, shape, and location suitable to be used as community open space or park.
- B. Such areas of open space, whether privately or publicly owned, shall have sufficient legal restriction recorded in the County land records to assure permanence of use as open space. Open space land in private ownership shall be deeded in such a way that will assure operation or maintenance of the land in an orderly manner suitable for the purpose intended.
- C. On land to be used as active recreation open space, undesirable growth and debris shall be removed. Wooded and brook areas shall be left natural. There shall be no depositing, dumping or storage of waste, or other natural or man-made material, supplies, or equipment on any subdivision land designated as open space. No work, removal or filling shall be done, nor shall the existing natural characteristics of open space land be altered from the original condition until the subdivider's plans for recreational development of said open space have been reviewed and approved by the Board as part of the Final Plat Application.



- D. In the event that the Board determines that suitable park, playground, or other open space cannot be properly located in a proposed subdivision, it may require as a condition of final plat approval that a payment be made by the subdivider to the Town and placed in a fund for acquisition and/or improvement of park and recreation land. Such payment shall be determined by the Board of Selectmen in accordance with an equitable and standard fee schedule related to either the gross area of the subdivision or number of dwelling units proposed.
- E. Due regard shall be given to preservation of existing trees, shrubbery and other vegetation within the subdivision. The Board may require additional tree planting and other landscaping appropriate to the area being subdivided. The subdivider shall comply with the following requirements:
1. Where any land other than that included in public rights-of-way is to be dedicated to public use, the subdivider shall not remove any trees from the areas without approval of the Board.
  2. All disturbed areas which are not covered by structures or paving shall be properly seeded or replanted by the subdivider.
  3. To the fullest extent possible, all existing trees and shrubbery shall be preserved by the subdivider. Special consideration shall be given to the arrangement and ultimate improvement or development of the lots to this end. Precautions shall also be taken to protect existing trees, shrubbery and vegetation during the construction of roads and utilities.
  4. Topsoil moved during the course of construction shall be redistributed so as to provide cover to all disturbed areas of the subdivision. At no time shall topsoil be removed from the site without written permission from the Planning Board.

5.12 Survey Monument Standards:

- A. Permanent survey monuments shall be set in the boundary of rights-of-way at intersecting streets, point of curvature and point of tangency of curves, though the point of intersection of short curves may be used instead where such is practical. Monuments shall be placed on one side of the street only and at only one corner of intersecting streets.
- B. Adjacent monumented points shall be intervisible.
- C. Monuments shall be tied into a public street intersection, U.S.G.S. benchmark or other recognized existing monument.
- D. Monument locations shall be shown and properly dimensioned on the final plat.

- E. Monuments shall be of stone, concrete, or other material acceptable to the Board, and not less than 4" in diameter or square, and not less than 42" long. Concrete monuments shall be reinforced with steel rods, and a plug, brass plate or pin shall serve as the point of reference. If stone, a drilled hole shall serve as the point of reference, a magnetic rod or other suitable metal shall be placed adjacent to the monument to allow for recovery.